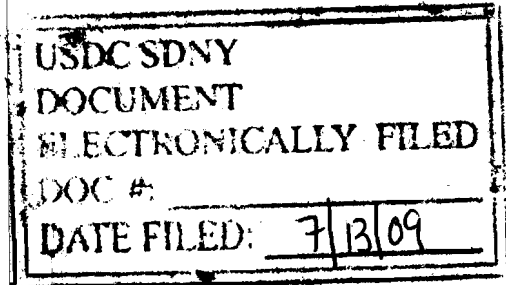


UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



CHARLES SMITH,

Plaintiff,

JOINDER OF PARTIES
(FRCP 19)

-against-

08 CIV 10268
(RMB)

THE CITY OF NEW YORK, NEW YORK,
THE NEW YORK CITY POLICE DEPARTMENT,
and MONICA SMITH, POLICE OFFICER,

*Application granted. Amended
complaint to be filed by 7/15/09*
SO ORDERED:
RMB

RICHARD M. BERMAN U.S.D.J.
7/13/09

Defendants.

The Plaintiff moves the Court to allow the joinder of the following parties without whom this matter cannot be fully adjudicated:

The City of New York; As the defendants correctly point out in their Answer, the City is the proper party defendant for the Plaintiff s claims of failure to train and supervise New York City Police officers and for the Plaintiff s claims of *respondent superior* liability for the State torts of the defendants.

New York City Police Officer Monica McCann, Shield # 29334 is named by the defendants as one of the officers involved in the incident which is the basis of these claims.

New York City Police Officer Jessica Torres, Shield # 1909 is named by the defendants as one of the officers involved in the incident which is the basis of these claims.

New York City Police Officer Renee Sola, Shield # 13606 is named by the defendants as one of the officers involved in the incident which is the basis of these claims.

New York Police Sergeant Timothy Brown, Shield # 714 is named by the defendants as one of the officers involved in the incident which is the basis of these claims.

Dated: New York, New York
July 3, 2009

Respectfully submitted,

s/

Dan L. Johnston, (dlj-0806).

ATTORNEY FOR PLAINTIFF

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